

The motion to seal is GRANTED temporarily. The Court will assess whether to keep the materials at issue sealed or redacted when deciding the underlying motion. The Clerk of Court is directed to terminate ECF No. 16. SO ORDERED.

CLIFFORD CHANCE US LLP

31 WEST 52ND STREET
NEW YORK, NY 10019-6131

TEL +1 212 878 8000
FAX +1 212 878 8375

www.cliffordchance.com

BY ECF



June 16, 2021

Direct Dial: +1 212 878 8205

E-mail: jeff.butler@cliffordchance.com

Hon. Jesse M. Furman
U.S. District Court
Southern District of New York
40 Centre Street
New York, New York 10007

June 15, 2021

Re: *Bank of Utah, not in its individual capacity but solely as owner trustee v. ABC Aerolíneas, S.A. de C.V., No. 21 Civ. 3915*

Your Honor:

I write on behalf of Plaintiff Bank of Utah, not in its individual capacity, but solely as owner trustee (“Lessor”), and pursuant to Section 7 of Your Honor’s Individual Practices, to request permission to file certain papers under seal in support of Lessor’s motion for default judgment.

In its motion for default judgment filed contemporaneously herewith, Lessor makes reference to certain proprietary and confidential information concerning (1) the amount of rent required under lease agreements with Defendant ABC Aerolíneas, S.A. de C.V. (“ABC”), and (2) the amount of rent owed under anticipated leases with a different party. This sensitive information is relevant to calculating Lessor’s damages in this action, but disclosing it publicly would cause commercial harm to Lessor. Lessor therefore requests permission to file this information under seal.

Accordingly, Lessor is filing a public redacted version and an under seal unredacted version of each of the following: (1) the Declaration of Jeff E. Butler dated June 15, 2021, and Exhibits 1, 2, 8 and 9 thereto; (2) the Declaration of John Brennan dated June 15, 2021; and (3) Lessor’s Statement of Damages.

Respectfully submitted,

/s/ Jeff E. Butler

Jeff E. Butler